

REMARKS

Claims 23 through 44 were presented for examination in the present application and remain pending for consideration upon entry of the instant amendment.

Claims 23, 24, 26, 29, 39 and 40 have been amended merely to make explicit that which had been implicit. No new subject matter has been added.

The abstract was objected to and has been amended accordingly. Reconsideration and withdrawal of the objection to the abstract are respectfully requested.

Claims 25, 27, 28, 30 through 37, and 44 were rejected under 35 U.S.C. 112, second paragraph. Claims 25, 27, 28, 30 through 37, and 44. Claims 25, 28, 30, 31, 33, 35, 36, 37, and 44 have been amended so as to overcome the rejections. Furthermore, the rejections to dependent claims 27, 32, and 34 are overcome due to the dependence upon the amended claims. Accordingly, reconsideration and withdrawal of the rejections to claims 25, 27, 28, 30 through 37, and 44 are respectfully requested.

Claims 23, 24, 26, 29 through 40, and 42 through 44 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,375,171 ("Morscheck"). Claims 25, 27, 28, and 41 were rejected under 35 U.S.C. 103(a) as being unpatentable over Morscheck in view of U.S. Patent No. 7,070,534 ("Pelouch").

Independent claim 23 recites "A gearbox module comprising... a gearshifting device comprising at least two inputs and one output

connectable to the gearbox output... wherein each of the first and second inputs of the gearshifting device can be selectively connected via a synchronously shiftable coupling to the output of the gearshifting device to produce a first power branch and a second power branch, wherein the synchronously shiftable coupling enables power to flow via the power branches alone or jointly in a closed state (emphasis added)".

Morscheck discloses a power shift transmission having two input shafts, an output shaft, two countershafts which are first synchronized and clutched with either of the input shafts, and then alternately clutched to the output shaft. Each countershaft rotatably supports a ratio gear driven by one of the input shafts, a ratio gear driven by the other input shaft, and a drive gear for driving the output shaft. A reverse gear is rotatably supported by one of the countershafts. A double acting synchronizer is disposed between the two ratio gears on each countershaft for synchronizing and clutching either of the ratio gears to the countershaft.

Moreover, Morscheck discloses only a "normal" shifting of gears in a gear box. There is not possibility of selecting the two power branches jointly. Therefore, the gear box disclosed in Morscheck shows only a shifting between two different gears. In contrast, claim 23 requires the usage of the first and second power branches either alone or jointly. This is not possible in the power transmission disclosed by Morscheck.

Consequently, Morscheck fails to disclose or suggest claim 23. The cited art also fails to disclose or suggest the gearbox module recited by claim 23. Claim 23 is in condition for allowance. Claims 24 through 44 depend from independent claim 23 and are in

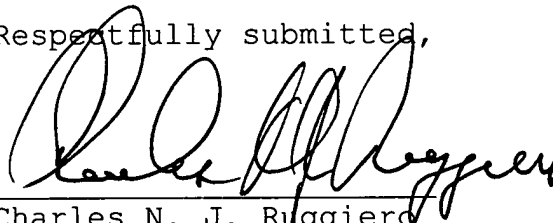
condition for allowance for at least the reasons set forth above with regard to claim 23. Reconsideration and withdrawal of the rejection to claims 23 through 44 are respectfully requested.

In addition, Applicant notes that the Office Action has cited Pelouch as prior art to the present invention. Applicant respectfully submits that Pelouch can not be properly used as a cited art against the invention of the present application since the present application has a priority date that is earlier than that of Pelouch. Applicant submits herewith a verified translation of the German priority document.

In view of the above, it is respectfully submitted that the present application is in condition for allowance. Such action is solicited.

If for any reason the Examiner feels that consultation with Applicant's attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,



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